



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,811	07/11/2005	Bruce J. Gantz	22409-00113-US	3607
30678	7590	01/06/2010	EXAMINER	
CONNOLLY BOVE LODGE & HUTZ LLP			CHU, MICHAEL ALEXANDER	
1875 EYE STREET, N.W.				
SUITE 1100			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20006			3766	
			MAIL DATE	DELIVERY MODE
			01/06/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

*Ex parte* BRUCE J. GANTZ, JAMES FINLEY PATRICK,  
AND JOHN L. PARKER

---

Application No. 10/518,811  
Technology Center 3700

---

Mailed: January 6, 2010

---

Before DELORES LOWE, *Review Team Paralegal*  
LOWE, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on January 2, 2010. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

**EXAMINER'S CONSIDERATION OF REPLY BRIEF**

A Reply Brief was filed in this application on November 24, 2009. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

**CONCLUSION**

Accordingly, it is **ORDERED** that the application be returned to the Examiner:

- 1) consider the Reply Brief filed November 24, 2008, as indicated above; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

/dal/

CONNOLLY BOVE LODGE & HUTZ LLP  
1875 EYE STREET, N.W.  
SUITE 1100  
WASHINGTON DC 20006